REMARKS

This Amendment responds to the Final Office Action mailed on August 17, 2010.

Claims 1-5, 7-23, and 25-32 remain pending in the Application and stand rejected.

Claims 1, 11, 22, 23, 31, and 32 have been amended. Applicants respectfully request

reconsideration in view of the amendments and the following remarks.

Claims Rejected under 35 U.S.C. §103

Claims 1-4, 7-10, 12, 13, 15, 17-19, 21, 22, 31 and 32 stand rejected under

35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,996,828 to Kimura in

view of U.S. Publication No. 2001/0016879 to Sekiguchi et al. Claims 1, 22, 31 and 32

are independent claims. Claim 1 has been amended to include subject matter of claim

11 and now recites that "a program code filed in a tunnel area of a memory associated

with the processor changes between the primary operating system and the secondary

operating system." This element is not disclosed or suggested by the combination of

Kimura '828 and Sekiguchi '879, as evidenced by the fact that claim 11 was not rejected

based on the combination of Kimura '828 and Sekiguchi '879 alone.

Claim 11 was rejected under 35 U.S.C. §103(a) as being unpatentable over the

combination of Kimura '828 and Sekiguchi '879, in further view of U.S. Publication No.

2004/0205755 to Lescouet et al. Specifically, the Examiner alleged that the features set

forth in claim 11 are found in paragraphs [0034], [0065], and [0088] of Lescouet '755.

(Final Office Action at p. 14.) Applicants respectfully disagree. Specifically, paragraph

[0034] of Lescouet '755 is a part of a list of tasks of an operating system kernel related

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to memory management. Paragraph [0065] only discusses virtual devices that use memory as a communications medium to be able to pass data between operating systems. Paragraph [0088] and paragraphs [0089]-[0092] discuss an operating system switcher that stores and restores values of state variables for each of the operating systems in memory spaces that are swapped when switching from one operating system to another in order to allow the newly activated operating system to recommence execution where it left off. There is no discussion related to a tunnel memory concept or program codes stored in such a memory area that is used to switch between the operating systems. The combination of Kimura '828, Sekiguchi '879, and Lescouet '755 therefore fails to disclose or suggest all elements of amended claim 1. Accordingly, Applicants respectfully request that the rejections of claim 1 and claims 2-4, 7-10, 12, 13, 15, 17-19, and 21, which depend therefrom, be withdrawn.

Claim 22 has been amended to include subject matter of claim 23 and now further recites that "the SOS driver has a tunnel context setting routine for setting a tunnel context in the processor facilitating the change between operating systems by means of a program code filed in the tunnel context." Claim 23 was not rejected over the combination of Kimura '828 and Sekiguchi '879. Thus, a *prima facie* case of obviousness is absent with respect to amended claim 22.

Similar to dependent claim 11 above, claim 23 was rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of Kimura '828 and Sekiguchi '879, in further view of Lescouet '755. Again, the Examiner cited paragraphs [0034], [0065], and [0088] as allegedly disclosing the elements of claim 23. Accordingly, Applicants

assert that the combination of Kimura '828, Sekiguchi '879, and Lescouet '755 fails to disclose or suggest all of the elements of amended claim 22 and, therefore, a *prima facie* case of obviousness with respect to amended claim 22 has not been met for at least the same reasons discussed above with respect to independent claim 1 and dependent claim 11. Applicants therefore respectfully request that the rejection of claim 22 be withdrawn.

Independent claim 31 has been amended to recite "switching from the primary operating system to the secondary system based on said interrupt call wherein a program code filed in a tunnel area of a memory associated with the processor switches between operating systems." Similarly, independent claim 32 has been amended to recite that "a program code filed in a tunnel area of a memory of the device and associated with the processor changes between operating systems." These elements are not disclosed or suggested by the combination of Kimura '828 and Sekiguchi '879, as discussed above with respect to amended independent claim 1. Moreover, the concept of changing between operating systems using program code filed in the tunnel area is also not disclosed or suggested by Lescouet '755. Therefore, for the same reasons discussed above with respect to independent claim 1 and dependent claim 11, the combination of Kimura '828, Sekiguchi '879, and Lescouet '755 fails to disclose or suggest all elements amended claims 31 and 32, and Applicants respectfully request that the rejections of these claims also be withdrawn.

Claims 5, 11, 14, 16, 20, 23, and 25-30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Kimura '828 and Sekiguchi '879, in

further view of Lescouet '755. Claims 5, 11, 14, 16, and 20 each depend from

independent claim 1, and claims 23 and 25-30 each depend from independent claim 22.

Accordingly, claims 5, 11, 14, 16, 20, 23, and 25-30 are in condition for allowance for at

least the reasons discussed above with respect to claims 1 and 22. Dependent claims

11 and 23 have been amended to recite that the tunnel area of the memory (or tunnel

context, in the case of claim 23) consists of a single memory page. Support for these

amendments can be found with reference to the published Application at paragraphs

[0018-0019]. Claims 11 and 23 are further in condition for allowance because there is

no discussion or suggestion in any of the references of record related to a tunnel area

(context) in memory consisting of a single memory page. For at least the reasons

discussed above, Applicants respectfully request that the rejections claims 5, 11, 14, 16,

20, 23, and 25-30 also be withdrawn.

Conclusion

In view of the foregoing amendments and remarks, Applicants believe this case

is in condition for allowance and respectfully request allowance of the pending claims. If

the Examiner believes any matter requires further discussion, the Examiner is

respectfully asked to telephone the undersigned attorney so that the issue may be

promptly resolved. The Examiner's prompt attention to this matter is appreciated.

Applicants do not believe that any fees are due in connection with this

submission other than the fee of $810 for a Request for Continued Examination, being

paid electronically herewith. However, if any additional fees are necessary to complete

this communication, the Commissioner may consider this to be a request for such and

charge any necessary fees to Deposit Account No. 23-3000.

Respectfully submitted,

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